

These minutes are a summary of the discussion. The audible recording is available at the following website: <http://bit.ly/T3S7CB>

Planning & Zoning Commission Meeting
Minutes of December 3, 2014
1st Floor North Conference Room - City Hall

Present: Chairman Jeremy Goldstein, Vice-Chair Holly P. Shriner, Jim Edmonds, Laura Berner Hudson, Karl Koon and Joe Minicozzi

Absent: Kristy Carter

Pre-Meeting - 4:30 p.m.

The Commission discussed the current agenda and noted the need to increase the density for Urban Residential District. The discussion included the proposed Conestee Subdivision and some issues with the proposal and the method of approval (review of technical standards). Finally the Commission asked for a rough outline of the agenda of the January meeting. Concept ideas for providing a street connection to Louisiana was also discussed.

Regular Meeting - 5:00 p.m.

Chairman Goldstein called the meeting to order at 5:00 p.m. and informed the audience of the public hearing process.

Administrative

- Chairman Goldstein was pleased to announce the County reappointment of Mr. Edmonds.
- Mr. Minicozzi moved to approve the minutes of the November 5 and November 20, 2014, meetings, with minor amendments. This motion was seconded by Vice-Chair Shriner and carried unanimously by a 6-0 vote.

Agenda Items

- (1) Review of a request of a major subdivision creating seven single family lots from 1.14 acres at 47 Conestee Street, PIN 9649-36-1285. The project contact is Jesse Gardner. Planner coordinating review – Julie Fields.**

Urban Planner Julia Fields oriented the Commission to the site location and said the applicant is requesting review of a preliminary plat for a seven (7) lot subdivision (unnamed at present) located along and off of Conestee Street. This project is considered a Major Subdivision pursuant to Section 7-5-9 of the UDO.

The project site is a single parcel of 1.148 acres in size located off of Conestee Road not far off of Merrimon Avenue. The site is zoned RS-8 (Residential Single Family Medium Density District) as are properties to the north and south. Across Conestee to the west, the property is zoned RM16 and contains multi-family dwellings. Property to the east which fronts on Merrimon Avenue is zoned CBI and is commercially developed. The subject property is currently vacant.

The applicant is proposing to create seven new residential lots on the project site. Four of the lots have frontage on Conestee Street. The other three front onto a proposed new city street. The lots comply with the requirements for RS-8 parcels. Utility extensions are proposed in the road right-of-way.

The proposed new street (yet unnamed) will intersect with Conestee Street and end approximately 150 feet from this intersection. Plans indicate 20 feet of pavement within a 32-foot right-of-way.

Street trees are required along the new road and are shown on the plans meeting the standards

found in Section 7-11-3 of the UDO. Open space is not required per Section 7-11-4 of the UDO.

This project was approved with conditions by the Technical Review Committee (TRC) at their meeting on November 17, 2014. Many of the TRC comments have been addressed in the submittal before the Planning and Zoning Commission. She has heard from two property owners - one owner was concerned about the orientation of one of the lots as it relates to her property and stormwater controls; and the other owner was interested in receiving contact information.

Staff recommends approval of the project subject to compliance with the remaining conditions as included in the TRC staff report. Staff finds that all city standards have been or can be met with this major subdivision application.

Mr. Jesse Gardner, representing the applicant, said this is a straight forward subdivision and he would be available to answer questions.

Chairman Goldstein opened the public hearing at 5:09 p.m.

Ms. Cindy Gruenwald, adjoining property owner, said that she would be building on her lot in the near future and expressed the following concerns: (1) stormwater running onto her property due to grade of land; (2) survey and documents submitted by the developer had prior owner's name, not hers; (3) will the installation of the water line disturb her property; (4) will there be any curb disturbance from the installation of the water line; (5) access to her property for delivery of modular home when water line is installed; and (6) where will the front of the house be located on the lot that abuts her property.

Ms. Billie Lefland, resident on Spears Avenue, was concerned about increased traffic on Conestee Street; need for sidewalks; no lighted access on Merrimon Avenue and Spears; and stormwater control.

Chairman Goldstein closed the public hearing at 5:14 p.m.

Ms. Fields responded to some concerns raised - (1) Sidewalks are not required due to the size of the project, but there has been a request for an easement to be provided; (2) A traffic light on Merrimon and Spears was not discussed by the Transportation Department at the Technical Review Committee meeting; (3) front setbacks are not defined in our ordinance so the front of the house location is not known at this time; (4) as the water line is installed, they will work with the Public Works Department on resurfacing Conestee Street; and (5) all work will be done within the right-of-way so nothing will be on the adjacent properties.

Mr. Gardner also responded to some concerns raised - (1) he would rely on the Transportation Department to determine whether a paper street easement is necessary, and if so, he didn't think it would negatively influence his project; (2) he did not know which way the houses would face yet; (3) all of the City's stormwater requirements will be met; (4) there will be no disturbance of anyone else's property during the water line construction; and (5) during the water line construction, they will keep one lane always open. He also noted that he will share his contact information with the property owners.

When Vice-Chair Shriner asked if the developer would be willing to grant an easement for a future sidewalk, Mr. Gardner said that they would consider an easement, but was highly doubtful they will follow-through on it because it makes more sense on the other side of the street.

In response to Vice-Chair Shriner, Mr. Gardner said that they do not want to encourage a pedestrian connection to the east due to the topography change and they do not want people walking through that portion of the site (back side of the commercial development).

Mr. Edmonds felt it would be helpful for him in the future to have maps that have the lot lines and footage on them.

There was discussion, initiated by Mr. Minicozzi, if it was possible to have a paper street easement so if the parcel on the east side converts, there could be connectivity to Merrimon Avenue. He asked that

due to a section in the Standard Specifications and Details Manual regarding internal connectivity which reads "All streets shall be extended to the property lines across the property to be developed, unless the street to be constructed has been approved by the City as a cul-de-sac or other street with no outlet." Ms. Fields said that the Transportation Department did not note that in their review in the Technical Review Committee; however, a motion could be crafted that the Transportation Department review that standard to see if it is a technical requirement and if so, include it as a condition by the Technical Review Committee.

Mr. Minicozzi moved to approve the major subdivision preliminary plat subject to the conditions in the Technical Review Committee report, and subject to the Transportation Department review the standard regarding internal connectivity to see if it is a technical requirement in this project. This motion was seconded by Vice-Chair Shriner and carried unanimously on a 6-0 vote.

(2) Ordinance amending Chapter 7 of the Code of Ordinances regarding residential development density standards in certain commercial zoning districts and one residential zoning district. Planner coordinating review - Blake Esselstyn

Urban Planner Blake Esselstyn said that this is the consideration of an ordinance amending Chapter 7 of the Code of Ordinance regarding residential density standards in certain commercial zoning districts and one residential zoning district.

Subsequent to the Commission's review of this item at their November 5 meeting, staff has added one more district to the wording amendment: Urban Residential.

The Planning and Zoning Commission voted unanimously at that meeting to recommend approval of the wording amendment in question, which would increase the maximum residential density levels for multiple mixed use districts.

Staff has since recognized that, if these changes to commercial districts were to take effect, there would be a marked discrepancy with the highest density *residential* district in the development ordinance: the Urban Residential (URD) district. To offer an option for 40 units per acre in the Office district, yet no higher than 32 units per acre in Urban Residential seemed too inconsistent an approach to addressing the goals of increasing multifamily density in appropriate locations.

After subjecting the development standards of the URD district to the same analysis that had been performed on the other districts, staff found that an average lot in the district, under ideal conditions, could support the same density as the Neighborhood Corridor District. The last row in the table below represents the added district.

Proposed for Increased Residential Density				
District Name	Current Density (units per acre)	Previously Proposed Density	New Proposed Density (units per acre)	
		(units per acre) Market / 10% Affordable	Market Rate Affordable	20% Affordable
Office	8	12 / 12	20	40
Office II	12	15 / 18	20	40
Office Business	12	15 / 18	20	40
CB I	16	20 / 24	20	40
CB II	16	24 / 28	25	50
Institutional	16	24 / 28	30	60
River	16	32 / 40	30	60
Highway Business	32	48/56 (with structured parking)	35	70
Regional	32	48/56 (with structured parking)	35	70

Business

Neighborhood Corridor	32	n/a	35	70
Urban Residential	32	n/a	35	70

Unlike the other affected districts (and unlike most districts in the ordinance), the URD district exists on the ground in very limited circumstances. Since its adoption in 2003, it has only been applied when property owners have requested a rezoning for certain projects (e.g., The Larchmont, Clingman Lofts). There are no existing districts of privately-owned, undeveloped land zoned URD. As such, any developer seeking to develop in the URD district would need to request a rezoning, and compatibility for a development of such density would be assessed at that time.

Further, the purpose statement for the URD district states that the district “is intended to be located on significant transit corridors and/or in high growth areas,” and therefore the areas where it can be applied are limited, and similar to those of the other districts contemplated in this wording amendment.

Staff feels that, as with the other proposed residential density increases, the proposed change to URD is in alignment with numerous goals of the Comprehensive Plan and other adopted plans.

Staff recommends approval of the modification to the wording amendment text; and if Commissioners agree with staff recommendations, the suggested motion is as follows: I move to approve the revised wording amendment modifying residential density in selected districts, and find that the request is reasonable, is in the public interest, and is consistent with the Comprehensive Plan and other adopted plans in the following ways: (1) References to the benefits of higher-density residential development in commercial corridors closer to jobs are widespread in the 2025 Plan; (2) Encouraging more density on transit routes is also a stated objective in the Comp. Plan; (3) Affordable housing, a goal of both the Comp. Plan, City Council Strategic Plan, and multiple other adopted plans, would be furthered, and (4) The aim to promote more mixed-use infill development figures prominently in the Comp. Plan, as well as the City Council Strategic Plan.

In response to Mr. Minicozzi, Mr. Esselstyn explained the number of variables City staff considered in arriving on the 20% affordability.

Mr. Esselstyn responded to Ms. Hudson when she asked if there would be a reduction in parking.

Chairman Goldstein opened the public hearing at 5:39 p.m. and when no one spoke, he then closed it at 5:39 p.m.

Ms. Hudson moved to approve the revised wording amendment modifying residential density in selected districts, and finds that the request is reasonable, is in the public interest, and is consistent with the Comprehensive Plan and other adopted plans in the following ways: (1) References to the benefits of higher-density residential development in commercial corridors closer to jobs are widespread in the 2025 Plan; (2) Encouraging more density on transit routes is also a stated objective in the Comprehensive Plan; (3) Affordable housing, a goal of both the Comp. Plan, City Council Strategic Plan, and multiple other adopted plans, would be furthered, and (4) The aim to promote more mixed-use infill development figures prominently in the Comp. Plan, as well as the City Council Strategic Plan. This motion was seconded by Mr. Minicozzi and carried unanimously on a 6-0 vote.

On behalf of the Commission, Chairman Goldstein thanked Mr. Esselstyn for his work with the Commission and wished him well on this future endeavors.

Other Business

Chairman Goldstein announced (1) the joint City Council/Planning & Zoning Commission meeting on December 16, 2014, at 2:00 p.m. in Room 623 of City Hall; and (2) the next Commission meeting on January 7, 2015, at 5:00 p.m. in the First Floor Conference Room of City Hall.

Adjournment

At 5:42 p.m., Mr. Koon moved to adjourn the meeting. This motion was seconded by Mr. Minicozzi and carried unanimously on a 6-0 vote.